

THE HIGH COMMISSION OF INDIA

Year:-

Dept:- Political

File No. Lon/Pat/103/45/98

Subject

Treatment of Netaji Subhash Bose as
War Criminal or not.

CORR-1-1-46

Previous Reference:-

Later Reference:-

Referred to:-

~~UNCLASSIFIED~~Keep by
28/12/15



Vikas Swarup
Counsellor(Political)
 Tel: 020 7836 7369
 Fax: 020 7836 6695

भारत का हाई कमिशन, लन्दन
THE HIGH COMMISSION OF INDIA
 INDIA HOUSE
 ALDWYCH
 LONDON WC2B 4NA

①

Low Pol/103/45/98

May 29, 2002

Dear Vijay,


Please refer to your D.O. No. 25/4/NGO-Vol-VII dated May 14, 2002 regarding the request by the Justice Mukherjee Commission of Inquiry for the authenticated copy of the information furnished by the Government of UK regarding the non-existence of the name of Netaji Subhas Chandra Bose in the list of war criminals drawn up by them.

In this connection, I am enclosing copies of the following:

- (i) Letter dated December 7, 1998 from the Army Historical Branch of the Ministry of Defence.
- (ii) Fax dated November 25, 1998 from the Imperial War Museum, London.

With warm regards,

Yours sincerely,


 (Vikas Swarup)

Shri Vijay Gokhale
 Director(CNV)
 Ministry of External Affairs
 NEW DELHI

For info:
 up
 30/5
 CRP up



From: J J Harding MBE, HB(A)
MINISTRY OF DEFENCE
3-5, Great Scotland Yard, London SW1A 2HW

2

Telephone	(Direct dial)	0171 218 4011
	(Switchboard)	0171 218 9000
	(Fax)	0171 218 0256

Pavan Kapoor Esq.
First Secretary (Political)
The High Commission of India
India House
Aldwych
London
WC2B 4NA

Your Reference
No.578/FS(Pol.)/'98
Our Reference
HB(A)/5
Date
December 1998

7A

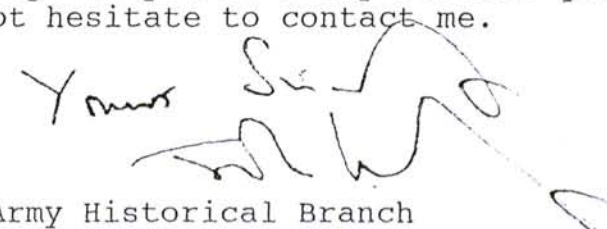
Dear Mr Kapoor,

Thank you for your letter of 24th November, I apologise for the delay in replying which is due to having to consult older records not immediately to hand.

With reference to the specific question you posed namely whether Subhash Chandra Bose was included by the United Kingdom in its 'list of war criminals' drawn up after the Second World War, I have been unable to find any evidence that any such action was taken by the United Kingdom.

I should add that the question of how to treat Subhash Chandra Bose and other members of the Indian national army was considered in 1945 by the Government of India in consultation with HMG. The relevant official papers relating to this process are in the public domain. Some of the most pertinent are to be found in Volume VI of the 'Transfer of Power' series. Others are available at the Public Record Office or the India Office Library collections in the British Library.

I hope this is of help. If you have any further questions on this matter, please do not hesitate to contact me.

Yours Sincerely

Army Historical Branch

1/12
We have new edition
this. 24/11/98
S

Pavan Kapoor
First Secretary (Pol.)
High Commission of India
India House
Aldwych
London WC2B 4NA

25 November 1998



Imperial War Museum
Lambeth Road
London SE1 6HZ
Telephone 0171 - 416 5350
Fax 0171 - 416 5379

(3)

Dear Mr Kapoor

Further to your fax of yesterday's date, I am writing, as requested, to confirm the substance of our subsequent telephone conversation concerning Netaji Subhash Chandra Bose.

As I indicated to you on the telephone, Nigel Jarvis - one of the Historians at the Foreign and Commonwealth Office - informed me that Netaji Bose's name was never on any "list of war criminals" because he was regarded at the time as a traitor and a political figure, not as a war criminal. Moreover, since he was an Indian subject, his case would have been dealt with under the British/Indian legal system rather than that of international law. Even if he had been on any such "list", his name would have been removed following his death shortly after the Second World War.

Mr Jarvis also told me that this same question has been raised several times before and that, in the past, official answers have normally been supplied either by the Foreign and Commonwealth Office or by the Army Historical Branch of the Ministry of Defence. I therefore suggest that it would be worth your while to contact Mr Jarvis at the FCO on 0171 210 3860 or 3868, and also to speak to John Harding at the Army Historical Branch on 0171 218 4011. I understand from Nigel Jarvis that the Army Historical Branch has a file on this matter.

I hope that these details and suggestions will be of some help to you.

Yours sincerely

Peter Simkins
Senior Historian

at FCO
Spoke with Nigel Jarvis, who confirmed that there was list of war criminals for Indian nationals, (such a list existed only for Japanese & German nationals) and that Netaji's name did not exist on any such list. If he had been caught, he would have been tried under the dominions law.

IMPERIAL WAR MUSEUM · HMS BELFAST · CABINET WAR ROOMS · DUXFORD

25/11 '98 09:04

TX/RX NO. 0676

P02



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

(4)

Vijay Gokhale
Director(CNV)

D.O.No. 25/4/NGO-Vol.VII

Dated May 14, 2002

Dear *Vikas*,

The Justice Mukherjee Commission of Inquiry has asked for the authenticated copy of the information furnished by the Government of U.K. regarding non-existence of the name of Netaji Subhas Chandra Bose in the list of war criminals drawn up by them.

In this connection, I would like to draw your attention to the Mission's fax messages No. Lon/Pol/103/45/98 dated 4.1.99 and No.FS(Pol)/99 dated 12.4.99 confirming that Netaji's name was not included in any list of war criminals drawn up by the Govt. of U.K. As is obvious from these faxes, the Mission's replies were based on inputs received from the Govt. of U.K. However, these inputs are not available in documentary form in the files of Europe West Division. It is these papers emanating from the Govt. of U.K. confirming the non-inclusion of the name of Netaji in the list of war criminals which are required by the Justice Mukherjee Commission. | 'X'

I would, therefore, request you to send us authenticated copies of the desired documents for onward transmission to the Commission.

Raj-1.

Yours sincerely,

Vijay Gokhale

(Vijay Gokhale)

To

Shri Vikas Swarup,
Counsellor(Pol)
High Commission of India,
London

B1 put up with relevant papers exp. 'X'

PW

22/5

Justice Monoj Kumar Mukherjee

Former Judge, Supreme Court of India

GD 359, Salt Lake City (Sector III) Calcutta 700 091 337 8265

D.O.No. JMCI/DOC/FOR/99-2000/56/125

June 12, 2000

Dear Sri Dayal,

You are possibly aware that Government of India has appointed a One-Member Commission of Inquiry with me as its Chairman to inquire into all the facts and circumstances related to disappearance of Netaji Subhas Chandra Bose.

One of the parties participating in the inquiry is headed by Sri Anil Mukherjee, Deputy Speaker of the West Bengal Legislative Assembly. He had, on his own, written a letter to the Deputy High Commissioner, British Deputy High Commission, Calcutta on March 1, 2000 asking, inter-alia, for certain declassified war records from the British Government regarding Netaji Subhas Chandra Bose. In reply thereto, Press & Public Affairs Adviser of the British Deputy High Commission informed Sri Mukherjee that about 700 unpublished files are with the India Office Records, Oriental and India Office Collections, London and those files can be seen by researchers in that office only. A copy of the said letter has been forwarded to my office by Sri Mukherjee.

As I will be in London from 20th to 22nd June, 2000 on a private visit I would like to avail of an opportunity of talking to you over the above matter. It will, therefore, be highly appreciated if you kindly make it convenient to fix a time for that purpose. While in London, I will be staying with my brother Sri Moloy Mukherjee at 81, Templars Avenue, Golders' Green, London, NW 11 (Telephone no. 208-455-8650).

With regards,

Yours sincerely,

Monoj Kumar Mukherjee

Sri Nareshwar Dayal
Hon'ble High Commissioner,
High Commission of India in U.K.

received 26th June
the inquiry NC body
SIX
I speak to
him
2/6
2/6



BY AIR MAIL

PARAVION

Under Certificate of Posting

D.O.No. JMCI/DOC/FOR/99-2000/56/125

Dated : 12.06.2000

(6)



To

Sri Nareshwar Dayal
Hon'ble High Commissioner,
High Commission of India in U.K.

Child 1312
From :

Mr. Justice M.K. Mukherjee,
GD 359, Salt Lake City (Sector III)
Calcutta 700 091.

WC2

Justice Monoj Kumar Mukherjee
Former Judge, Supreme Court of India

GD 358, Sakinaka, New Delhi (Sector III) Call: 011 700 081 337 070

June 12, 2000

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With regards,

Yours sincerely,

Monoj Mukherjee

Sri Nareshwar Dayal
Hon'ble High Commissioner,
High Commission of India in U.K.

*Please consult
HC and
take
appropriate action.*

SA to HC

*delivered
13/6/2000*

HC / DHC

*Netaji Subhas Bose
file.*



Fax cover sheet

hw

Foreign &
Commonwealth
Office

To SHE. PAVAN KARPOO
At Her Commission for Inaa
Fax 0171 836 6695
From DAVID HOWLETT
Telephone 0171 270 6945/6969
Fax 0171 270 6970
Date 22 FEBRUARY 00
Time 0845
Reference S. C. BOSE
Number of pages SIX (inc cover sheet)
(including cover)

Research Analysts
Whitehall Building
London SW1A 2AF

Telephone: 020-7270
Facsimile: 020-7270 6970

www.fco.gov.uk

Comments RE: UK RECORDS & S. C. BOSE

Dear Pavan,

We spoke about availability of British records on S. C. Bose. I attach relevant background which has been provided by FCO Records & Historical. I hope that this meets the bill. Let us know if you need anything more.

*Yas
D.H.*

Signature

22/02 '00 09:55

D. HOWLETT
RESEARCH ANALYST
TX/RX NO. 2403

P01

9

BRITISH RECORDS ON SUBHAS CHANDRA BOSE

1. Virtually all British records relating to Subhas Chandra Bose, which are more than 30 years old, have been released at the Public Record Office and at the British Library.

/ 2. Public Record Office: See attached list for 1945-47.

/ 3. British Library: See attached note. This is a collection of 1913-1947 files of the Indian Political Intelligence organisation (IPI) in the series L/P & J/12 Public and Judicial Department (Separate). Released August 1997.

3. The only papers which remain closed are:

- a few papers in the files of the Intelligence and Security Agencies which do not add to the substantive account in the IPI Office collection. These Intelligence records are withheld from release with the approval of the Lord Chancellor, in accordance with Section 3(4) of the Public Records Acts;
- one paper from the IPI collection which is retained on grounds of continuing personal sensitivity.

Records and Historical Department
18 February 2000

**PAPERS IN THE PUBLIC RECORD OFFICE ON SUBHAS CHANDRA BOSE
1945-1947**

WO 203/515	Apr 1945	Japanese-Indian Forces Command: guide to activities
"	516 Aug 1945	Japanese-Indian Forces Command: supplementary guide to Indian National Army in Malaya
"	2298 Aug 1945	Malaya: disposal, status, brief history of Indian National Army
"	4673 Aug-Dec 1945	Indian National Army
WO 208/804A	Nov 42- Nov 45	Indian traitors, fifth columnists trained by Japanese: Indian Independent League: Indian National Army: survey of various organisations employed by Japanese for espionage, sabotage, propaganda: reports on activities: British counter measures
WO 208/3812	1942-7	Subhas Chandra Bose: activities and death
FO 371/56774	1946	Indian-Soviet relations (N277/136/38: press article).

+7858 TIGA

023 P01

05.08.97

12-02

28

THE BRITISH LIBRARY
ORIENTAL AND INDIA OFFICE
COLLECTIONS
197 BLACKFRIARS ROAD
LONDON
SE1 8NG



FAX COVER SHEET

DATE: August 5, 1997
TO: Brenda Levenson
FCO Declassification FAX: 0171 210 6792
FROM: Jill Geber PHONE: 0171 412 7832
The British Library FAX: 0171 412 7858

INDIAN POLITICAL INTELLIGENCE FILES

Number of pages including cover sheet: 4

Message

Dear Brenda

Attached is the introduction to the list of the I P I files, as requested. The files will be released to the public on Monday 11 August 1997.

Could you please fax copies of the introduction to the High Commissions of India, Pakistan and Bangladesh in London, and to the British High Commissions in Delhi, Bombay, Calcutta, Islamabad, and Dhaka.

I've also included a copy of the article by Patrick French which appeared in the Times Higher Education Supplement on 1 August, for your information.

Yours sincerely

Jill Geber

Jill Geber

① Seeah Tyache/ton
Tony Fanning

② Reader Service/KO
-will send a copy

Copy by fax to Mrs Yasmeen.

This arrived unprompted just after noon!

Brenda Levenson

578792

22/02 '00 09:55

TX/RX NO. 2403

P04

+7858 TIGA

023 P02

05.08.97

12:02

L/P&J/12

**PUBLIC AND JUDICIAL DEPARTMENT (SEPARATE)
FILES, 1913 - 1947**

751 files and volumes

The Public and Judicial (Separate) P&J(S) or POL(S) series of the former India Office comprise the files of the Indian Political Intelligence organisation (I P I). I P I was a shadowy and formerly non-avowed organisation, within the Public and Judicial Department of the India Office in London, devoted to the internal and external security of British India.

In consequence of the development of Indian anarchist activities in England in 1909, the India Office suggested (after consultation with Scotland Yard and the Government of India) that an officer of the Indian Police should be placed on deputation in England. The organisation he headed was first called the Indian Political Intelligence Office, but the name finally decided on for this organisation in 1921 was Indian Political Intelligence or 'I P I'.

Major John Arnold Wallinger, a senior Indian Police officer was deputed to England in 1910 'for the purpose of observations upon Indian revolutionaries and criminals (connected with India) of all nationalities'. This activity increased during the First World War. In view of war conditions, Wallinger was provided with an assistant, Philip C Vickery, Indian Police, in 1915, whose duty was to 'watch anti-British conspiracies in England and Europe, so far as they affect Indian interests' and Indian conspirators attempting to attack the British government of India. During the First World War the information collected with regard to German efforts to create dissatisfaction among Indians in Europe became of great value to the War Office and Vickery worked in close co-ordination with Military Intelligence in Europe to 1919 and also in the United States, returning to duty in India in 1923.

Other senior officers deputed from the Indian Police intelligence division to I P I included Paul Biggame, 1922 to 1923; Charles Augustus Tegart 1918 to 1923 and John Hunter Adam, 1923. John Wallinger retired in April 1926 and was succeeded by Vickery as head of I P I in October 1926. Vickery remained I P I chief until the organisation was closed in August 1947 and transferred to T G Sanjevi Pillai, Director Intelligence Bureau, Government of India. In 1950 the remains of I P I's organisation became known as the OS4 branch of the Security Service (MI.5).

After the 1935 Government of India Act, I P I became a subsidiary of the Intelligence Bureau, although in practice it was autonomous. I P I was run jointly by the India Office and the Government of India. UK, Europe and American operations were run by I P I in London. Indian operations were run by the Director of the Intelligence Bureau, Home Department, Government of India or D I B, (also known in India as the Secret Service). A Central Intelligence Officer in each province of India (usually seconded from the local police force) received information by close liaison with the Provincial Intelligence Branches and from sources run within the provinces and other informal sources.

(13)

+7858 TIGA

023 P03 05.08.97 12:02

L/P&J/12 PUBLIC AND JUDICIAL DEPARTMENT (SEPARATE) FILES

I P I reported to the Secretary of the Public and Judicial Department of the India Office, the Director, Criminal Intelligence India and maintained close contact with Scotland Yard and MI.5. I P I shared accommodation with MI.5 from 1924. When this was bombed in 1940 the organisation moved with MI.5 to Oxford, returning to London in 1945.

From the early days of the existence of I P I, the security aspects of its files and papers necessitated their being kept separate from the routine papers controlled by the Public and Judicial Department's registry and filing systems. A separate system of numbering and registration was maintained within the P&J Department. From 1924 the Separate files were registered in annual file cycles. The registry system order has been respected in the listing below as far as possible. Some unregistered files and items kept by the organisation have been placed at the end of the list. The original P&J(S) registers have been retained by the Foreign and Commonwealth Office.

The files were a catch-all for India Office political intelligence data, including correspondence with the Director of the Intelligence Bureau in India (D I B), on intelligence matters about pre-Independence India. They include much material originating with the Security Service (MI.5) and the Secret Intelligence Service (S I S or MI.6) and Scotland Yard's Special Branch. The files contain intelligence data on communism and other Indian political or revolutionary movements (notably the Communist Party) in India between 1916 to 1947; surveillance of Indian revolutionaries abroad and British and foreign sympathisers; proscription of certain publications; censorship of mails; notes and reports on personalities, intercepted letters and passport controls. According to one I P I officer these records differ little from records maintained by MI.5 and MI.6. The files expose in detail the existence and operations of a secret intelligence organisation operating both in Europe and the USA. I P I was also the India/Burma section of MI.5, and it was the only Imperial or Dominion intelligence agency which was permitted to operate out of London.

In the 1960s the Commonwealth Relations Office registered all P&J(S) files as records to be retained for more than thirty years under Section 3(4) of the Public Records Act 1958 on the understanding that the files were to be retained for a hundred years or until a further review was undertaken. From 1977 some files were released and remained open to the public until 1981. In April 1981 the files (with the exception of the local government fortnightly reports on the political situation) were removed from the India Office Library and Records to the Foreign and Commonwealth Office for review and vetting. Working under the guidelines of the 'Open Government' initiative of the 1990s, the Sensitivity Review Unit of the Foreign and Commonwealth Office returned a large number of the files to the India Office Records in December 1996. The archive is so far unique - the only known instance of a British intelligence organisation's archives being opened to the public for research.

Release date: Monday 11 August 1997

Contact telephone numbers

Jill Geber 0171 412 7832

Tony Farrington 0171 412 7837

Fax: 0171 412 7858



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

CRASH-PARLIAMENT QUESTION

From : Foreign New Delhi
To : Hicommind London

✓ 2706945
6862

System to
David Huntley
at Research Dept.
S.D.D., Sec.
He has promised to
respond by Monday (Feb 21).

Shri Pavan Kapoor, First Secretary (Pol) from Under Secretary (EW-I)

Grateful for Mission's response for the following Lok Sabha Provisional Starred Question Diary No. 2385 for answer on 1st March, 2000:

"RESEARCH BY SCHOLARS OF NETAJI SUBHASH CHANDRA BOSE"

- whether the Government have requested the Russian Government to open its archives to Indian scholars researching on Netaji Subhash Chandra Bose;
- if so, whether the Government have received any response from the Russian Government in this regard;
- whether some of the documents concerning Netaji kept under the custody of the U.K Government are still denied access to scholars;
- if so, whether the Government have moved the concerned authorities to open up such papers to those who would like to go through these; and
- if so, the details thereof?

Mission's response may kindly be sent by the evening of 17th February, 2000. The title of the question may kindly be mentioned in the response, for ease of reference, in view of the large number of Parliament questions being handled by this division.

Regards,

Vani S.

(Vani S.Rao)
Under Secretary (EW-I)
February 17, 2000

351
HC/DMC/Cons(Pol) / P3/P01

15 For info. Mr. [Signature] 12/4 14/4 Pl. Bull 10 Indo UK B. External Netaji Bose San P. [Signature] 13/4 HIGH COMMISSION OF INDIA

India House, Aldwych
London WC2B 4NA

FACSIMILE TRANSMISSION

From: Pavan Kapoor First Secretary (Pol.)	Tel. No.: (00-44-171) 836 8484 Extn. 164 Fax No.: (00-44-171) 836 6695
--	---

To: Mr B.S. Bishnoi	Fax No.: 00 91 11 3794145
Mission/Company: Director (EW), Europe West Division, Ministry of External Affairs, Room 39-A, South Block, New Delhi	Department:

Copy to:	Fax No.:
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File No.: FS (Pol.)/'99	Date: 12.4.1999	No. of pages (including this): 2
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In case of difficulty with this transmission, please ring (0171) 836 8484 Extn. 164.

Message

CRASH - PARLIAMENT QUESTION

Reference your Fax of date regarding the 4 Lok Sabha Questions for answer on 21 April 1999.

2. Our inputs for the various questions are as follows, ad seriatim:

1) Information on Subhas Chandra Bose:

- (a) Yes.
- (b) The Government of India, through its High Commission in London, sought information from the Government of Britain about Netaji Subhas Chandra Bose's name being on the list of war criminals drawn up by the UK after World War II.
- (c) The information received from the Foreign and Commonwealth Office of the British Government was that no list of Indian war criminals was drawn up by the UK. Such a list was drawn up only for Japanese and German nationals. Netaji Subhas Chandra Bose's name did not figure on any such list.

: 2 :

2) Delegation from Britain:

- (a), (b) & (c) Government is unaware of any such delegation from House of Lords' likely visit to India for enquiring into visa problems.

3) Relations with Britain:

- (a) As part of an on-going process, the British Government reiterated their keenness to maintain and further develop good relations with India during the visit of our External Affairs Minister to UK from 2 – 5 February 1999, and during the visit of the Deputy Prime Minister of UK to India from 4 – 12 March 1999.

4) British Dy. PM's Visit to India:

We have not yet received details of what transpired during the visit.

Warm regards,

P Kapoor
(Pavan Kapoor)

O. G.

→ Faxed



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

CRASH/Parliament Question

FAX MESSAGE

From : Foreign New Delhi

To : Hicomind London

FS (Pol) from Dir (EW)

Enclosed are copies of the following four Lok Sabha Questions received for answer on 21 April 1999:-

- 1) D.No. 3739 regarding information on Subhash Chandra Bose
- 2) D.No. 18156 regarding delegation from Britain
- 3) D.No. 17962 regarding relation with Britain
- 4) D.No. 18300 regarding British Deputy Prime Minister's visit to India

2. It is requested that inputs for replies may please be faxed to us urgently.

Regards.

B.S. Bishnoi

(B.S. Bishnoi)
Director (EW)

9.4.99

12

(18)

2443 / 55 (EW) / 89
8/4

45

QUESTION FOR THE LOK SABHA

ADMITTED

ORIGINAL UNSTARRED

3739

try to which the
has been allotted : EXTERNAL AFFAIRS

question will be put down for the
ng on the :-

21-04-99

INFORMATION ON SUBHASH CHANDRA BOSE

SHRI MADHAV RAO PATIL:
SHRI D.S.AHIRE:

Will the Minister of EXTERNAL AFFAIRS

be pleased to state:

(a) whether the Government have sought any information from
the Government of Britain about Shri Subhash Chandra Bose;

(b) if so, the details thereof; and

(c) the details of the response received from British
Government in this regard?

35 (EW)
DIR (EW)
WS (EW) 1/10
GSD (EW)
2/4/99

BVR
8/4/99
Dir (EW)

3/5

(19)

QUESTION FOR THE LOK SABHA

PROVISIONAL STARRED

ADMITTED

B156

y to which the
been allotted : EXTERNAL AFFAIRS
stion will be put down for the
on the :-

21-04-99

DELEGATION FROM BRITIAN

SHRI MADAN PATIL:

Will the Minister of EXTERNAL AFFAIRS

be pleased to state:

- (a) whether a delegation from House of Lords. UK is likely to visit India to enquire into the visa problems;
- (b) if so, the details thereof;
- (c) whether the delegation is sponsored by Commonwealth and Foreign Office (CFO);
- (d) if so, the details thereof; and
- (e) the extent to which the saide visit is likely to help the people facing visa problems?

Is (EW)
DIR (EW)
21/4/99

4/5

(20)

Priority in ballot	: 27
No. of Notices Tabled	: 7

A D M I T T E D

PRIORITY QUESTION FOR THE LOK SABHA

PROVISIONAL STARRED

1962

to which the
been allotted : EXTERNAL AFFAIRS

tion will be put down for the
on the :-

21-04-99

RELATION WITH BRITIAN

* SHRI RAVI SITARAM NAIK:

Will the Minister of EXTERNAL AFFAIRS

be pleased to state:

(a) whether the Prime Minister received any proposal from
British Prime Minister for seeking better ties with India;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto?

JS(EW)
DIR(EW)
21/4/99

21
5/5

QUESTION FOR THE LOK SABHA

ADMITTED

PROVISIONAL STARRED

.No. 13300

Ministry to which the
day has been allotted : EXTERNAL AFFAIRS

The question will be put down for the
sitting on the :-

21-04-99

BRITISH DY. PM VISIT TO INDIA

SHRI ABHAYSINH S. BHONSLE:
SHRI R. SAMBASIVA RAO:

JS(EW)
D/EW
8/4/99

Will the Minister of EXTERNAL AFFAIRS

be pleased to state:

(a) whether the Deputy Prime Minister of Britain has visited
India recently;

(b) if so, the details thereof;

(c) the main points discussed during his visit to India; and

(d) the extent to which the discussion is likely to
strengthen Indi-British ties?

22

---Printed on 07-APR-99 at 16:12:23----- SOFTWARE DEVELOPED BY NIC/PAID



FROM THE RESEARCH AND INFORMATION OFFICE



(23)

Pavan Kapoor
First Secretary (Pol.)
High Commission of India
India House
Aldwych
London WC2B 4NA

Imperial War Museum
Lambeth Road
London SE1 6HZ

Telephone 0171 - 416 5350
Fax 0171 - 416 5379

25 November 1998

Att(P)

103/45/98

Dear Mr Kapoor

Further to your fax of yesterday's date, I am writing, as requested, to confirm the substance of our subsequent telephone conversation concerning Netaji Subhash Chandra Bose.

As I indicated to you on the telephone, Nigel Jarvis - one of the Historians at the Foreign and Commonwealth Office - informed me that Netaji Bose's name was never on any "list of war criminals" because he was regarded at the time as a traitor and a political figure, not as a war criminal. Moreover, since he was an Indian subject, his case would have been dealt with under the British/Indian legal system rather than that of international law. Even if he had been on any such "list", his name would have been removed following his death shortly after the Second World War.

Mr Jarvis also told me that this same question has been raised several times before and that, in the past, official answers have normally been supplied either by the Foreign and Commonwealth Office or by the Army Historical Branch of the Ministry of Defence. I therefore suggest that it would be worth your while to contact Mr Jarvis at the FCO on 0171 210 3860 or 3868, and also to speak to John Harding at the Army Historical Branch on 0171 218 4011. I understand from Nigel Jarvis that the Army Historical Branch has a file on this matter.

I hope that these details and suggestions will be of some help to you.

Yours sincerely

Peter Simkins
Peter Simkins
Senior Historian

at FCO

Spoke with Nigel Jarvis, who confirmed that there was list of war criminals for Indian nationals, (such a list existed only for Japanese & German nationals) and that Netaji's name did not exist on any such list. If he had been caught, he would have been tried under the dominions law.

IMPERIAL WAR MUSEUM · HMS BELFAST · CABINET WAR ROOMS · DUXFORD

103/45/98

(24)

85 (100)

Thanks. There is
fundamentally no mention
of my war criminal list

Asian Age
13/01/99

13/1

ATHEP

Take Netaji off war criminals' list and he will return... alive

By AMITA VERMA

Lucknow, Jan. 12: The Netaji Subhash Chandra Bose Vichar Manch has urged the government of India to ensure the removal of Netaji's name from the list of war criminals being maintained at the United Nations so that the "war hero, who is still alive, can appear before the nation."

"Netaji is very much alive. I have his fingerprints to prove this. But he will not make an appearance before the nation till his name is deleted from the war criminals' list," says Dr Alok Bagchi, national president of the Vichar Manch. Talking to the *The Asian Age* on the telephone from Gorakhpur, Dr Bagchi said that the Indian government for some strange

reason has been going out of its way to prove that Netaji had been killed in the air crash of 1945. "In 1992, the Indian government conferred the Bharat Ratna posthumously on Netaji. This was challenged

through a writ petition filed in Calcutta high court by one Bijan Ghosh. The court ruled in August 1997 that since the government had failed to produce any evidence to prove that Netaji was dead, the 'posthumous' award be set aside," he said.

Another petition was moved in Calcutta high court challenging the efforts made by the Indian government to bring back the alleged "ashes" of Netaji kept in Renkoji temple in Japan.

[The UP government has
■ Turn to Page 2

SPOTLIGHT

Netaji Bose

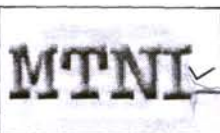
■ Continued from Page 1

extended an apology in the court of the additional chief judicial magistrate for declaring Netaji Subhash Chandra Bose as "dead" in its posters and hoardings while celebrating his birth centenary celebrations, UNI reports from Gorakhpur] According to Dr Bagchi, the findings of the Shah Nawaz Commission in 1956 and the Khosla Commission of 1971 have already been declared "doubtful" by the government. "In August 1978, the then Prime Minister of India made a statement in the Lok Sabha that the Shah Nawaz Commission and the Khosla Commission findings have been contested by subsequent facts and the 'government finds it difficult to accept the earlier conclusion,'" says Dr Bagchi.

Dr Bagchi claims that Netaji's followers feel that his public appearance — till the time his name is removed from the war criminals' list — would cause a major political upheaval. "The nation holds Netaji in high esteem, and it is the government's responsibility to ensure that he is not treated as a war criminal, but as a national hero — a status he rightly deserves. The day this stigma of being a war criminal is removed, Netaji will appear before the nation," he asserts.

Dr Bagchi, however, is unwilling to give even the slightest clue of Netaji's presence, his being alive or his whereabouts. "His security could be endangered if he emerges now. He is old, but his spirit is still young," he says. This incidentally is not the first time that speculation about Netaji being alive has surfaced. Some years ago, the Netaji was rumoured to have been seen in Faridabad district and thereafter in Gonda district of UP. "I am not a mere publicity seeker. I have enough proof to show that Netaji was not killed in 1945 — he is still alive. But in accordance with his wishes, I will wait till his name is removed from the war criminals' list," says Dr Bagchi. Though Union home minister L.K. Advani has said that the government would order a fresh probe into the "mysterious disappearance and speculated death" of Netaji Subhas Chandra Bose and Samajwadi Party president Mulayam Singh Yadav has also assured the Manch that he would raise the issue in the Parliament, it is unlikely that politicians of the day would take time off from contemporary issues to discover the truth about a hero who disappeared 57 years ago.

As Dr Bagchi says, "Perhaps it suits our politicians to believe that Netaji is no more. They are simply not interested in raking up the past, but I have also decided that I will fight this battle alone. I believe in Netaji and he was alone when he began his battle against the British."



THE HINDUSTAN TIMES

www.hindustantimes.com

Online

Monday, February 22, 1999, New Delhi

no file 22/2
Att (P) 25/2
25/2

NEWS

Front Page

FRONT PAGE

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Britain 'exonerates' Netaji

New Delhi, February 21 (Jay Raina)

Residual doubts whether the name of Subhas Chandra Bose figured in the British Government's list of war criminals were set at rest with an emphatic 'no' last week.

The British Government's communication was received at the Foreign Office here, setting at rest the controversy that has raged for more than 50 years. The British clarification follows a Union Home Ministry request to the Ministry of External Affairs to seek information from the British Government on the question following the Orissa High Court's directions. A division bench of the High Court headed by Chief Justice S N Phukan had directed the Centre in October last to initiate action in order to get Netaji's name deleted from the list of war criminals. Similar directions had also been issued by the Calcutta High Court. The Orissa High Court directions followed a PIL filed by former MP and ex-general secretary of the Congress Shyam Sunder Mohapatra seeking court's intervention to persuade the Indian Government to seeking clarification.

The issue roused considerable emotion in India which ranks Netaji as a frontline leader of the freedom struggle. The petition had also appealed that a writ of mandamus be issued, calling upon the Centre to make a written declaration regarding the mysterious disappearance and subsequent death of Netaji, allegedly in an aircrash in Japan. Home Ministry sources confirmed that it had received the British communication from the MEA earlier this month, indicating categorically that Netaji's name did not figure in the list of war criminals.

Sources maintained that even as setting up of a new commission of inquiry to further probe into the disappearance of Netaji was ruled out, the Government may appoint a committee senior officers to clear the confusion over the issue. "The committee may base their findings on the conclusions drawn by two inquiry commissions headed by Shah Nawaz Khan and Justice G D Khosla that concluded that Netaji died on August 19, 1945 in an aircrash at Taihuko airport," sources said.

Other Stories

- PMs talk peace, sign declaration
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- Give us your Sikh shrines: Badal



HIGH COMMISSION OF INDIA

India House, Aldwych
London WC2B 4NA

103/45/98
26

FACSIMILE TRANSMISSION

From: Pavan Kapoor First Secretary (Pol.)		Tel. No.: (00-44-171) 836 8484 Extn. 164 Fax No.: (00-44-171) 836 6695
To: Ms Vani S. Rao		Fax No.: 00 91 11 3010700, 3010680 & 3013547
Mission/Company: Under Secretary (EW-I), Europe West Division, Ministry of External Affairs, South Block, New Delhi.		Department:
Copy to:		Fax No.:
File No.: Lon./Pol./103/45/98	Date: 4.1.1998	No. of pages (including this): 2

In case of difficulty with this transmission, please ring (0171) 836 8484 Extn. 164.

Message

Ref. your Telex of date regarding Netaji Subhas Chandra Bose.

2. The only additional information to my Fax of 25.11.1998 (copy **enclosed** for ease of reference) is that the Army Historical Branch of the Ministry of Defence also confirmed with their records that Netaji's name was not included in any 'List of War Criminals' drawn-out by the UK Government after the Second World War.

Regards,

→ Faxed

For info. pls. J
5/1
Min (Pol). J
P.K. 2/1
G.T.

(Pavan Kapoor)
O.C.



HIGH COMMISSION OF INDIA

India House, Aldwych
London WC2B 4NA

27

FACSIMILE TRANSMISSION

From: Pavan Kapoor First Secretary (Pol.)	Tel. No.: (00-44-171) 836 8484 Extn. 164 Fax No.: (00-44-171) 836 6695
--	---

To: Ms Vani S. Rao	Fax No.: 00 91 11 3010700, 3010680 & 3013547
Mission/Company: Under Secretary (EW), Europe West Division, Ministry of External Affairs, Room 270-B, South Block,	Department: New Delhi - 110011.

Copy to:	Fax No.:
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File No.: FS (Pol.)/'98	Date: 25.11.1998	No. of pages (including this): 1
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In case of difficulty with this transmission, please ring (0171) 836 8484 Extn. 164.

Message

Reference your Fax of 23rd November 1998 regarding the parliament question about Netaji Subhash Chandra Bose's name being on the list of war criminals drawn up by the U.K. after World War II.

2. The information that I have received from the Imperial War Museum, which has been substantiated by the Historical Branch of the Foreign and Commonwealth Office is that no list of Indian war criminals was drawn up by the U.K. Such a list was drawn up only for Japanese and German nationals. Netaji Subhash Chandra Bose's name did not feature on any such list. The Senior Historian of the Imperial War Museum went further to say that even if Netaji's name had been on any such list, his name would have been removed, following his death soon after World War II. I have also contacted the Army Historical Branch of the Ministry of Defence for them to re-confirm this with their records, but thought I would send you this information for the moment.

Regards,

P Kapoor
(Pavan Kapoor)

28

99-01-04 06:56

S-23 NEW DELHI 120 041155

FROM: FOREIGN NEW DELHI

TO: HICOMIND LONDON

TS-03
HC / ADHC
ES (Pol)

SHRI PAWAN KAPOOR, FIRST SECRETARY (POL) FROM UNDER SECRETARY (EW-1)

1. THE MINISTER OF HOME AFFAIRS HAS INFORMED US THAT FOLLOWING A WRIT PETITION FILED IN THE HIGH COURT OF ORISSA, FOR THE REMOVAL OF NETAJI SUBASH CHANDRA BOSE'S NAME FROM THE LIST OF WAR CRIMINALS IN UNITED KINGDOM, JAPAN AND GERMANY, THE HIGH COURT HAS DIRECTED GOI, TO TAKE UP THE MATTER WITH THE CONCERNED GOVTS, FOR REMOVAL OF NETAJI'S NAME FROM THE LIST IN QUESTION.

2. YOU MIGHT RECOLLECT THAT, IN NOVEMBER 1998, WE HAD REQUESTED INFORMATION REGARDING THE SAME ISSUE, FOR ANSWERING A PARLIAMENT QUESTION (WHICH WAS SUBSEQUENTLY DROPPED). WE UNDERSTAND THAT THE MISSION HAS ALREADY CONTACTED THE ARMY HISTORICAL BRANCH OF THE MINISTRY OF DEFENCE, UK, FOR INFORMATION REGARDING THE SAME. GRATEFUL, IF YOU COULD KINDLY REVERT TO US AT THE EARLIEST, WITH THE RELEVANT INFORMATION.

REGARDS.

FOREIGN

COLLS: S 23/MEA/KK/041210

Urgent



HIGH COMMISSION OF INDIA

India House, Aldwych
London WC2B 4NA

(29)

FACSIMILE TRANSMISSION

From: Pavan Kapoor First Secretary (Pol.)		Tel. No.: (00-44-171) 836 8484 Extn. 164 Fax No.: (00-44-171) 836 6695
To: Ms Vani S. Rao		Fax No.: 00 91 11 3010700, 3010680 & 3013547
Mission/Company: Under Secretary (EW), Europe West Division, Ministry of External Affairs, Room 270-B, South Block,		Department: New Delhi - 110011.
Copy to:		Fax No.:
File No.: FS (Pol.)/'98	Date: 25.11.1998	No. of pages (including this): 1

In case of difficulty with this transmission, please ring (0171) 836 8484 Extn. 164.

*Dr. has read
Message*

*For info. Mr. [Signature]
25/11*

min (PM)

PM

*sep. topic for
parliamentary Qns. [Signature]*

Reference your Fax of 23rd November 1998 regarding the parliament question about Netaji Subhash Chandra Bose's name being on the list of war criminals drawn up by the U.K. after World War II.

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Regards,

[Signature]
(Pavan Kapoor)
O.O.

→ faxed



From: J J Harding MBE, HB(A)
MINISTRY OF DEFENCE
3-5, Great Scotland Yard, London SW1A 2HW

30

Telephone	(Direct dial)	0171 218 4011
	(Switchboard)	0171 218 9000
	(Fax)	0171 218 0256

Pavan Kapoor Esq.
First Secretary (Political)
The High Commission of India
India House
Aldwych
London
WC2B 4NA

Your Reference
No.578/FS(Pol.)/98
Our Reference
HB(A)/5
Date
December 1998

7A


Dear Mr Kapoor,

Thank you for your letter of 24th November, I apologise for the delay in replying which is due to having to consult older records not immediately to hand.

With reference to the specific question you posed namely whether Subhash Chandra Bose was included by the United Kingdom in its 'list of war criminals' drawn up after the Second World War, I have been unable to find any evidence that any such action was taken by the United Kingdom.

I should add that the question of how to treat Subhash Chandra Bose and other members of the Indian national army was considered in 1945 by the Government of India in consultation with HMG. The relevant official papers relating to this process are in the public domain. Some of the most pertinent are to be found in Volume VI of the 'Transfer of Power' series. Others are available at the Public Record Office or the India Office Library collections in the British Library.

I hope this is of help. If you have any further questions on this matter, please do not hesitate to contact me.

Yours Sincerely

Army Historical Branch

9/12
M. H. Newgillson
this. 9/12/1
2

Classification



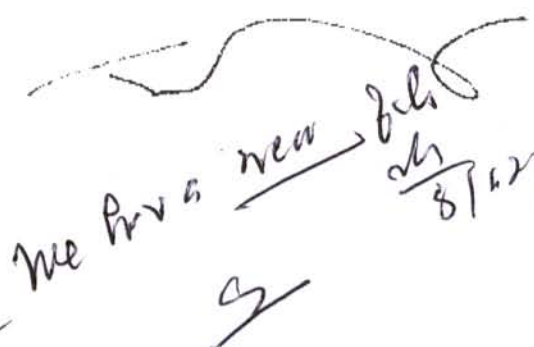

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Covering

F-5198 827
(M.S. 827)

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Facsimile Transmission Cover Sheet

Transmission Details		Document Details	
Serial Number:	Date and Time of Transmission:	Reference:	
From: J Harding, HB(A) tel: 071 218 4011 (MBx84011)	07 1930 DEC 98	HB(A)/	
To: Pavan Kapoor Esq. First Secretary (Political) The High Commission of India India House Aldwych London WC2B 4NA	Fax Number: 071-218-0256 (MB x80256)	Subject: CHANDRA Bose	
Fax Number:		Total number of pages including this cover sheet	
Rank, Name and Appointment: Historian, Harding J. HB(A).		Transmit Operators	
Signature:		Rank/Grade and Name:	
Signature:		Signature:	
Message/Remarks:			
<p>Please see attached.</p> <p><u>Hand copy</u> follows by Lt class post.</p> <p>  8/12  8/12  new file  8/12 </p>			

Covering

Covered

Classification

32



From: J J Harding MBE, HB(A)
MINISTRY OF DEFENCE
 3-5, Great Scotland Yard, London SW1A 2HW

Telephone	(Direct dial)	0171 218 4011
	(Switchboard)	0171 218 9000
	(Fax)	0171 218 0256

Pavan Kapoor Esq.
 First Secretary (Political)
 The High Commission of India
 India House
 Aldwych
 London
 WC2B 4NA

Your Reference
 No.578/FS(Pol.)/'98
 Our Reference
 HB(A)/5
 Date
 7A December 1998

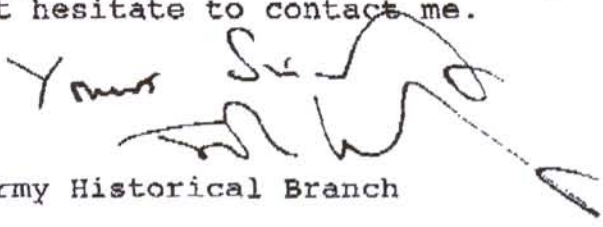
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Yours Sincerely

 Army Historical Branch

FROM THE RESEARCH AND INFORMATION OFFICE



103/45/98
N.F.
(33)

Pavan Kapoor
First Secretary (Pol.)
High Commission of India
India House
Aldwych
London WC2B 4NA

25 November 1998

Imperial War Museum
Lambeth Road
London SE1 6HZ
Telephone 0171-416 5350
Fax 0171-416 5379

Dear Mr Kapoor

Further to your fax of yesterday's date, I am writing, as requested, to confirm the substance of our subsequent telephone conversation concerning Netaji Subhash Chandra Bose.

As I indicated to you on the telephone, Nigel Jarvis - one of the Historians at the Foreign and Commonwealth Office - informed me that Netaji Bose's name was never on any "list of war criminals" because he was regarded at the time as a traitor and a political figure, not as a war criminal. Moreover, since he was an Indian subject, his case would have been dealt with under the British/Indian legal system rather than that of international law. Even if he had been on any such "list", his name would have been removed following his death shortly after the Second World War.

Mr Jarvis also told me that this same question has been raised several times before and that, in the past, official answers have normally been supplied either by the Foreign and Commonwealth Office or by the Army Historical Branch of the Ministry of Defence. I therefore suggest that it would be worth your while to contact Mr Jarvis at the FCO on 0171 210 3860 or 3868, and also to speak to John Harding at the Army Historical Branch on 0171 218 4011. I understand from Nigel Jarvis that the Army Historical Branch has a file on this matter.

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Yours sincerely

Peter Simkins
Peter Simkins
Senior Historian

at FCO
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IMPERIAL WAR MUSEUM · HMS BELFAST · CABINET WAR ROOMS · DUXFORD



(34)

Imperial War Museum, All Saints Hospital, Austral Street, London SE11 4SL
Telephone 0171 - 416 5000 Fax 0171 - 416 5379

FAX

DATE

25 / 11 / 98

TIME

09 : 05

NO. OF PAGES

2

(including this cover sheet)

TO Pavan Kapoor (First Secretary - Pol.)
ORGANISATION Indian High Commission FAX 0171 ~~836 1195~~
FROM Peter Linkup
DEPARTMENT Research Information Office DIRECT LINE 0171 - 416 5350



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

231700

CRASH

FROM FOREIGN NEW DELHI

TO HICOMIND LONDON

November 23rd 1998

Shri Pawan Kapoor, First Secretary (Political) from US(EW)

Please refer to our previous letter dated 4th March 1998, enquiring whether Netaji Subhash Chandra Bose's name was and still is in the list of War Criminals' drawn up by U.K after the Second World War.

2. Please find enclosed, a copy of the unstarred parliamentary question asking for the same information as above. Grateful, if the necessary information could be faxed at the earliest.

Regards,

Vani S. Rao
(Vani S. Rao)
Second Secretary

*Intax - 735
HC/DHC/mw(Pol)
FSC(Pol) ✓*

Date: 08/11/83

QUESTIONS FOR ORAL ANSWER

मौखिक उत्तर के लिए प्रश्न

S. O. No. 001999
Date

NEW DELHI

Place / स्थान

10/11/1983

Date / दिनांक

36

From / से

SANTOSH BAGROJA

M.P. / संसद सदस्य

To / को

THE SECRETARY-GENERAL, संसदीय सचिव

RAJYA SABHA, NEW DELHI / राज्य सभा, नई दिल्ली

Sir, Madam, महोदय, महोदया,

Under Rule 39 of the Rules of Procedure and Conduct of Business, I give notice of the following Questions: प्रक्रिया तथा कार्य व्यवस्थापन नियमों के नियम 39 के अंतर्गत, मैं निम्नलिखित प्रश्न को सूचना देता हूँ। जिसका मौखिक for oral answer on 10/11/83 का दिया जाये।

Yours Faithfully / पवराय

Member / सदस्य

Division No. / विभाग सं.

Order of precedence / प्राथमिकता क्रम

With the Minister of EXTERNAL AFFAIRS be pleased to state:

क्या मंत्री यह बताने को कृपा करेंगे कि:

(a) (क)

19. a) Is it true that the British Govt. treated Netaji Subhas Chandra Bose as a war criminal after the end of 2nd World war? If so give details?

b) What steps Govt. has taken in this regard with British Govt.?

c) If not, will Govt. take up the matter immediately in the interest of the sentiments of every Indian in the country?

11/11/83



Pavan Kapoor
First Secretary (Pol.)
Tel.: (00-44-171) 8368484 Extn. 164
Fax: (00-44-171) 836 6695
E-Mail: 106332.3624@compuserve.com

भारत का हाई कमीशन
लन्दन
THE HIGH COMMISSION OF INDIA
INDIA HOUSE
ALDWYCH
LONDON WC2B 4NA

37

24 November 1998

No.578/FS (Pol.)/'98

Dear Mr Harding,

I am writing to you with regard to a query raised by a Member of the Indian Parliament about the treatment of Netaji Subhash Chandra Bose, following the end of World War II. The specific query is whether Netaji Bose's name was on the 'list of war criminals' drawn up by the UK after World War II, and, if so, does it continue to be on the list.

2. *I would be grateful if the factual position in this regard can be conveyed to us at the earliest.*

Regards,

Yours sincerely,


(Pavan Kapoor)

O.C

**Mr John Harding
HB (A), Ministry of Defence,
3 - 5 Great Scotland Yard,
LONDON SW1A 2HW.**

Fax no.0 171 2180256

→ faxed



Pavan Kapoor
First Secretary (Pol.)
Tel.: (00-44-171) 8368484 Extn. 164
Fax: (00-44-171) 836 6695
E-Mail: 106332.3624@compuserve.com

भारत का हाई कमीशन
लन्दन
THE HIGH COMMISSION OF INDIA
INDIA HOUSE
ALDWYCH
LONDON WC2B 4NA

(38)

24 November 1998

No.578/FS (Pol.)/'98

Dear Mr Crawford,

I am writing to you with regard to a query raised by a Member of the Indian Parliament about the treatment of Netaji Subhash Chandra Bose, following the end of World War II. The specific query is whether Netaji Bose's name was on the 'list of war criminals' drawn up by the UK after World War II, and, if so, does it continue to be on the list.

2. *I* *Would be grateful if the factual position in this regard can be conveyed to us at the earliest.*

Regards,

Yours sincerely,

Pavan
(Pavan Kapoor)

O.C.

Mr Robert Crawford
Director-General,
Imperial War Museum,
Lambeth Road,
LONDON SE1 6HZ.

Fax no. 0 171 4165216

→ Faxed & sent by Post too.

Netaji Bose will be treated as war criminal

(Relevant copies enclosed)

Attache (Pol)

Page NO 47, 137, 138, 139, 140

for

Telephoned British Library

at 01937 546137

They said being highly Confidential
we can try at Imperial War Museum

Tel: 0171 416-5000 (Ext 5342 Library)

Telephoned Imperial War Museum. They
want in writing our inquiries to
help us at the following address:

Imperial War Museum

Printed Books Dept

Lambeth Rd

London SE1 6HZ

Tel: - 0171 416-5000

(40)

was also Twynam's view. I have not consulted other Governors again but when they were consulted last May Governors of United Provinces and Bihar were strongly opposed and Governor of Madras was prepared to accept but only as act of special clemency on the end of war in Europe.

3. If commutations are sanctioned I would make no announcement. Any statement that they had no political significance and were based only on delay would be disbelieved and would do no good.

4. Your telegram No. 17694¹ of August 10th was received after these telegrams had been drafted. I have not thought it necessary to alter them in any way.

¹ No. 12.

15

Sir E. Jenkins to Sir F. Mudie

*Wavell Papers. Official Correspondence: India, January–
December 1945, p. 262*

TOP SECRET

11 August 1945

No. 1157

My dear Mudie,

The External Affairs Department are, under His Excellency's instructions, sending an official telegram¹ to the India Office setting out the points in which India is specially interested in any surrender terms imposed on Japan, and saying that we wish to be consulted about these points. The noting was seen in Home Department, and His Excellency understands that a "surrender list" of traitors whom we wish to be handed over to us has been prepared in the Home Department and sent to the India Office. Two of the points mentioned in the External Affairs Department telegram are (1) Indian prisoners of war in Japanese hands, and (2) the treatment of Bose and his associates and of Jifs. His Excellency considers that these matters require very careful consideration: in particular he is not at all sure that Bose and his immediate associates should be returned to India for trial. It might be better to have them dealt with as war criminals outside India. His Excellency would like you to advise about this. In the meantime he has sent the Secretary of State a private telegram, No. 1286-S,² dated 11th August 1945, of which I enclose a copy for your personal information.

Yours sincerely,

E. M. JENKINS

¹ 7077 of 12 August. L/P&S/12/4565.

² On similar lines to this letter. *Ibid.*

...selected on the ... if such are willing to be
 ...selected all they ...
 ...I should agree that ... any long-term arrangement is ever
 ...to be devised ... view in betimes: but they are an
 ...element that ... already been warned more than once
 ...that they ... rationalised process of doing so is
 ...difficult to ... ss difficult to enforce rapidly.
 ...I am rather ... much store—equal, apparently, with
 ...that set on ... —on the “trappings” of self-government:
 ...other ... sense of values: & of course he is
 ...quite wrong in suggesting that Ministries can be restored in S.93 Provinces by
 ...the *ipse dixit* of the Governor.

I have not attempted to comment on Mr Rao's note in any detail: for detailed criticism I agree in the points made by Mr Gibson.

D. T. M.

27.viii

Minute by Lord Pethick-Lawrence

I h[ave] now read this several times. Wavell might like to see Rao's memo. It will o[f] course be put in my box for the Cabinet Committee this afternoon.³

³ Lord Pethick-Lawrence's minute is undated but the meeting of the India and Burma Committee referred to is possibly that of 29 August; see No. 78.

Sir F. Mudie to Sir E. Jenkins

Wavell Papers. Official Correspondence: India, January–December 1945, pp 273–5

TOP SECRET

HOME DEPARTMENT, NEW DELHI, 23 August 1945

My dear Jenkins,

I have not so far answered your Top Secret letter No. 1157,¹ dated 11th August 1945, about the Japanese “surrender list” and Bose as I wanted to look up the papers regarding the “surrender list”. I am, however, now enclosing a note on the treatment of Bose, in response to His Excellency's request for notes on any subjects that Departments might wish him to discuss in London. Whatever decision is taken in Bose's case must have the full backing of His Majesty's Government.

2. The note has been prepared after discussion with Smith and Tottenham. Smith is more afraid of the agitation that his trial in this country will cause than

¹ No. 15.

(42)

either Tottenham or I and attaches less importance to the objections to trial outside India than we do. Otherwise we are agreed.

3. I have examined your suggestion that Bose be treated as a "war criminal". He clearly is not one in the ordinary sense of that word. Nor does he appear to come within the extended definition which has now been adopted by the United Nations. In this connection I would refer you to the air mail edition of the *Times* of August 9th.

Yours sincerely,
R. F. MUDIE

Enclosure to No. 57

TOP SECRET

HOME DEPARTMENT

One of the most difficult questions that will confront Home Department in the near future is the treatment of Subhas Chandra Bose.

2. The difficulty of the problem is due to Bose's peculiar position as explained below:—

(a) *Bose's influence over the I.N.A.* is very considerable. It extends to the great bulk of the 12,000 I.N.A., both soldiers and civilians, already in our hands and probably to an even higher percentage of the estimated 15,000 still to be recovered. It affects all races, castes and communities almost equally strongly. They regard him with deep admiration, respect and confidence as a sincere patriot, as an able leader without peer among the overseas Indian community, as the organiser of India's first "National Army", as the protector of his countrymen under Japanese occupation, and as one who successfully dealt with the Japanese and was accorded by them greater respect and power than most other leaders in the same position. All this is in addition to his already great prestige as an Indian nationalist figure in his own country.

(b) *Bose's influence over Bengal politics.*—Bose is prominent in the Bengal political field and, in Bengali estimation, probably ranks little, if anything, below Gandhi as an all-India figure. As founder and leader of the Forward Bloc he possessed very considerable potential power for harm. To the youth of Bengal and to terrorists, in particular, he is, and has long been, a source of inspiration. His influence in this respect will in no sense be diminished by his recent exploits as Head of the Provincial [? Provisional] Government of Free India and Commander-in-Chief of the I.N.A.

3. As regards the treatment of Bose, there are the following possibilities:—

(a) bring him back to India and try him either for waging war or under the Enemy Agents' Ordinance;

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His Majesty's Government, however strong. But in this country as a till after his execution. It would be said—prevent his friends. Also, what reason of the I.N.A. are sequences of this co

6. Trial and execution. Similar objections prolonged and military ones. Again, trial of our soldiers, where issue. On the other that the military w

7. Interning Bose and to his release in 1940 (see paragraph a trial and we wo

8. There is more of India. Out of his release might l

- (b) have him tried by a Court in Burma or Malaya for waging war against the King in that country;
- (c) have him tried by a military court outside India;
- (d) intern him in India;
- (e) intern him in some other British possession, e.g. Seychelles Islands;
- (f) leave him where he is and don't ask for his surrender.

4. I do not think that there is any chance of Bose being hanged if he were tried in India. The pressure for his release would be too great; also his trial would result in great publicity for his doings, motives, etc. On the other hand, trial in India would be the straightforward course and the trial as such could not be criticised. If it is accepted that execution would, in the end, be impossible then reprieve immediately after conviction, to forestall agitation, would be the best course.

5. It is extremely unlikely that the Government of Burma, which is engaged in appeasing the Burma National Army, would agree to try Bose and even more unlikely that, if they did, they would hang him. The Government of Malaya might possibly have no such scruples, and we might get a hanging if His Majesty's Government agreed to ignore agitation in India and Parliament however strong. But a trial in Singapore would cause almost as much agitation in this country as a trial here, unless it were held *in camera* and no news released till after his execution. But in that case we would be accused of judicial murder. It would be said—and truly said—that we had kept the proceedings secret to prevent his friends and supporters from doing all they could to save his life. Also, what reason could be given for trying Bose outside India when the leaders of the I.N.A. are to be tried openly in India? The long-term political consequences of this course might be very serious.

6. Trial and execution by a military court outside India would be open to similar objections but to a less degree, as the trial would presumably be less prolonged and military punishments are expected to be more severe than civil ones. Again, trial by a military court would suggest that his crime was killing our soldiers, whereas trial by a civil court at once raises the independence issue. On the other hand, this would be an obvious subterfuge and it is unlikely that the military would lend themselves to it.

7. Interning Bose in India would lead only to an agitation to let him out and to his release after a short time. He might then escape to Russia, as he did in 1940 (see paragraph 9 below). There would also be the usual agitation for a trial and we would incur the odium of detention without trial.

8. There is more to be said for detention and internment somewhere out of India. Out of sight would be to some extent out of mind and agitation for his release might be less. Also, escape to Russia would be difficult.

(44)

9. In many ways the easiest course would be to leave him where he is and not ask for his release. He might, of course, in certain circumstances be welcomed by the Russians. This course would raise fewest immediate political difficulties, but the security authorities consider that in certain circumstances his presence in Russia would be so dangerous as to rule it out altogether.

10. The choice seems to be between deporting and interning Bose outside India or trying him in India and commuting the death sentence. The two might be combined and Bose deported (or "transported") after conviction. There would be considerable long-term advantages in a trial, but reprieve might raise the question of why military officers who joined Bose's Army should be hanged. The answer would be that their position in the Army greatly aggravated their offence, but this might not be accepted by the Army.

R. F. MUDIE,—23-8-45.

Home Member

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Mr Rajagopalachari to Sir E. Jenkins

R/3/1/106: ff 134-5a

48 BAZALULLAH ROAD, THYAGARAYANAGAR, MADRAS,

23 August 1945

Dear Sir Evan,

I am glad H.E. is again going to see what can be done for us.

May I request you to place before him the enclosed note? I am very anxious and so perhaps overdoing it, but it cannot do any harm if he knows how I feel.

Yours sincerely,

C. RAJAGOPALACHARI

Enclosure to No. 58

23 August 1945

I welcome the announcements as to fresh elections and the consultations with Lord Wavell once again. Anything is preferable to the stagnation in which we are now caught. But frankly I do not like the very leisurely programme announced by one of the provincial governments (Madras) in this connection, which would take us late into 1946.¹ This would furnish an excuse for continuing Sec. 93 rule in the provinces for another twelve months. We have the right to ask why so much time is wanted in India for holding elections when at the end of the European war the British elections could be completed and revolutionary change effected within so short a time as we have seen. There is



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Foreign &
Commonwealth
Office

London SW1A 2AH

Telephone: 0171

22 April 1998

N K Saxena Esq
Counsellor (Pol)
The High Commission of India
India House
Aldwych
LONDON WC2B 4NA

Attache (Pol) urgent
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Dear Nagerdra,

NETAJI SUBHAS CHANDRA

1. I refer to your note Lon/Pol/105/2/98.

2. The question of how to treat Subhas Chandra Bose and other members of the Indian National Army was considered in 1945 by the Government of India in consultation with HMG. All relevant official papers relating to this process are in the public domain. Some of the most pertinent are to be found in Volume VI of The Transfer of Power series. All others are available at the Public Record Office or the British Library. Please let me know if you would like contact details for these institutions.

Yours sincerely

Dominic

Dominic Meiklejohn
South Asian Department

270 2377

cc Dr Andrew Hall

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विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

Tanmaya Lal
Under Secretary[EW]
Tel: 301 6383

No. W1/109/1/98 EW

March 4, 1998

Dear Sir,

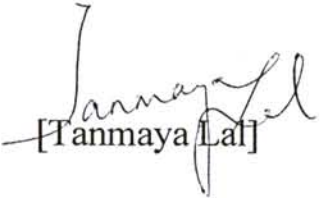
Ministry of Home Affairs have enquired whether the name of Netaji Subhas Chandra Bose was and still is in the list of "War Criminals" in such a list drawn up by UK after the Second World War.

2. The inquiry is based on the letter addressed to MHA by Shri Rudra Jyoti Bhattacharjee, Advocate, High Court, Calcutta.

3. I would be grateful if the information in this regard could be sent to us.

Kind regards,

Yours sincerely,


[Tanmaya Lal]

Shri N.K. Saxena,
Counsellor[Pol],
High Commission of India,
London.